

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:21 MJ 5022 NAB
)	
DARIYON RASHAD MOORE,)	
)	
Defendant.)	

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Catherine M. Hoag, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g).
2. Pursuant to Title 18, United States Code, Section 3142(g), the nature of the charges against the defendant, the weight of the evidence against defendant, the defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by defendant's release additionally warrant defendant's detention pending trial.

3. As stated above, the defendant is charged with felon in possession of a firearm which is a crime that involves a firearm, as enumerated in Title 18, United States Code, Section 3142(g)(1), therefore weighing in favor of detention.

4. Additionally, the evidence in this case is strong. The defendant was observed by officers driving a stolen Jeep Grand Cherokee that had fled from officers on January 28, 2021. After confirming the vehicle was stolen, officers deployed a tire deflation device as the defendant exited a gas station. The vehicle's rear tires were disabled, but the defendant continued to flee. A second tire deflation device was deployed a short time later after the defendant continued to flee. After all four tires were deflated, the defendant rammed his vehicle into an unmarked St. Louis County Police vehicle multiple times, causing the rear passenger door to detach from the vehicle. The defendant also struck an FBI task force vehicle before trying to push the St. Louis County vehicle out of his way. The defendant then fled on foot, discarding a large brown purse as he ran. As the bag hit the ground, a black semi-automatic pistol and framed photograph of the defendant slid out of the bag. After he was apprehended, the defendant admitted that he was a felon and knew he was not supposed to possess a firearm.

5. Defendant's criminal history includes a prior conviction for felony theft from St. Charles County, for which he received a five-year sentence (cause number 1711-CR02777-01). Execution of his sentence was suspended and he was placed on probation in February 2018. His probation has been suspended since September 2020 after new charges were filed in St. Louis County for burglary in the first degree and kidnapping (cause number 20SL-CR03943-01). Defendant was on bond for those charges at the time of this offense. He was also previously convicted of misdemeanor theft, originally filed as a felony (cause number 1522-CR04484-01). The fact that Defendant was on under supervision in two separate cases at the time of this offense

indicates that he is not amenable to terms of supervised release. Furthermore, the nature of the defendant's criminal behavior is becoming significantly more dangerous, as reflected by the pending charges in St. Louis County and the dangerous flight from officers in this case.

6. Finally, the defendant engaged the police officers in an extended and dangerous chase that required the deployment of two sets of tire deflation devices. Even after all four tires were deflated, the defendant continued to attempt to flee, ramming his vehicle into two separate police vehicles, taking the door off one of the vehicles. The defendant also attempted to flee on foot after abandoning the vehicle. Moreover, during the flight, the defendant veered into oncoming traffic numerous times, endangering innocent civilians. This type of behavior is strong evidence that defendant is a flight risk, and his erratic driving demonstrates further danger to the community.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
United States Attorney

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